

15 CV 02048
CIVIL COVER SHEETJS 44C/SDNY
REV. 4/2014

The JS-44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for use of the Clerk of Court for the purpose of initiating the civil docket sheet.

PLAINTIFFS
THE NATIONAL RETIREMENT FUND, et al.DEFENDANTS
CAESARS ENTERTAINMENT CORPORATION, et al.ATTORNEYS (FIRM NAME, ADDRESS, AND TELEPHONE NUMBER)
Schulte Roth & Zabel, LLP, 919 3rd Ave, New York, NY 10022,
212.756.2000ATTORNEYS (IF KNOWN)
Akin Gump Strauss Hauer & Feld LLP, One Bryant Park, New York, NY 10036,
212.872.1000CAUSE OF ACTION (CITE THE U.S. CIVIL STATUTE UNDER WHICH YOU ARE FILING AND WRITE A BRIEF STATEMENT OF CAUSE)
(DO NOT CITE JURISDICTIONAL STATUTES UNLESS DIVERSITY)

29 U.S.C. § 1132(g). Payment of missed withdrawal liability payment, interest, liquidated damages, attorneys' fees and costs.

Has this action, case, or proceeding, or one essentially the same been previously filed in SDNY at any time? No ☐ Yes ☒ Judge Previously AssignedIf yes, was this case Vol. ☐ Invol. ☐ Dismissed. No ☐ Yes ☐ If yes, give date _____ & Case No. _____

IS THIS AN INTERNATIONAL ARBITRATION CASE?

No ☒ Yes ☐

(PLACE AN [x] IN ONE BOX ONLY)

NATURE OF SUIT

TORTS		ACTIONS UNDER STATUTES	
CONTRACT	PERSONAL INJURY	PERSONAL INJURY	FORFEITURE/PENALTY
[] 110 INSURANCE	[] 310 AIRPLANE	[] 397 HEALTHCARE/	[] 625 DRUG RELATED
[] 120 MARINE	[] 315 AIRPLANE PRODUCT	PHARMACEUTICAL PERSONAL	SEIZURE OF PROPERTY
[] 130 MILLER ACT	LIABILITY	INJURY/PRODUCT LIABILITY	21 USC 881
[] 140 NEGOTIABLE	[] 320 ASSAULT LIBEL &	[] 365 PERSONAL INJURY	[] 690 OTHER
INSTRUMENT	SLANDER	PRODUCT LIABILITY	
[] 150 RECOVERY OF	[] 330 FEDERAL	[] 368 ASBESTOS PERSONAL	
OVERPAYMENT &	EMPLOYERS'	INJURY PRODUCT	
ENFORCEMENT	LIABILITY	LIABILITY	
[] 151 OF JUDGMENT	[] 340 MARINE	PERSONAL PROPERTY	
MEDICARE ACT	[] 345 MARINE PRODUCT	[] 370 OTHER FRAUD	
[] 152 RECOVERY OF	LIABILITY	[] 371 TRUTH IN LENDING	
DEFAULTED	[] 350 MOTOR VEHICLE		
STUDENT LOANS	[] 355 MOTOR VEHICLE		
(EXCL VETERANS)	PRODUCT LIABILITY		
[] 153 RECOVERY OF	[] 360 OTHER PERSONAL	[] 380 OTHER PERSONAL	LABOR
OVERPAYMENT	INJURY	PROPERTY DAMAGE	[] 710 FAIR LABOR
OF VETERANS	[] 362 PERSONAL INJURY -	[] 385 PROPERTY DAMAGE	STANDARDS ACT
BENEFITS	MED MALPRACTICE	PRODUCT LIABILITY	[] 720 LABOR/MGMT
[] 160 STOCKHOLDERS			RELATIONS
SUITS		PRISONER PETITIONS	[] 740 RAILWAY LABOR ACT
[] 160 OTHER		[] 463 ALIEN DETAINEE	[] 751 FAMILY MEDICAL
CONTRACT		[] 510 MOTIONS TO	LEAVE ACT (FMLA)
CONTRACT		VACATE SENTENCE	[] 790 OTHER LABOR
[] 195 PRODUCT		28 USC 2255	LITIGATION
LIABILITY		[] 530 HABEAS CORPUS	[] 791 EMPL RET INC
[] 196 FRANCHISE		[] 535 DEATH PENALTY	SECURITY ACT
		[] 540 MANDAMUS & OTHER	
	ACTIONS UNDER STATUTES		IMMIGRATION
	CIVIL RIGHTS		[] 462 NATURALIZATION
	[] 440 OTHER CIVIL RIGHTS	PRISONER CIVIL RIGHTS	APPLICATION
	(Non-Prisoner)	[] 550 CIVIL RIGHTS	[] 465 OTHER IMMIGRATION
	[] 441 VOTING	[] 555 PRISON CONDITION	ACTIONS
	[] 442 EMPLOYMENT	[] 560 CIVIL DETAINEE	
	[] 443 HOUSING/	CONDITIONS OF CONFINEMENT	
	ACCOMMODATIONS		
	[] 445 AMERICANS WITH		
	DISABILITIES -		
	EMPLOYMENT		
	[] 446 AMERICANS WITH		
	DISABILITIES -OTHER		
	[] 448 EDUCATION		
REAL PROPERTY			
[] 210 LAND			
CONDEMNATION			
[] 220 FORECLOSURE			
[] 230 RENT LEASE &			
EJECTMENT			
[] 240 TORTS TO LAND			
[] 245 TORT PRODUCT			
LIABILITY			
[] 290 ALL OTHER			
REAL PROPERTY			

Check if demanded in complaint:

☐ CHECK IF THIS IS A CLASS ACTION
UNDER F.R.C.P. 23DO YOU CLAIM THIS CASE IS RELATED TO A CIVIL CASE NOW PENDING IN S.D.N.Y.?
IF SO, STATE:

DEMAND \$5,981,493.64 OTHER see*

JUDGE Kaplan

DOCKET NUMBER 15 CV 00138

Check YES only if demanded in complaint

JURY DEMAND: ☐ YES ☒ NO

NOTE: You must also submit at the time of filing the Statement of Relatedness form (Form IH-32).

* interest, liquidated damages and attorneys' fees and costs.

(PLACE AN X IN ONE BOX ONLY)

- ORIGIN**
- ☒ 1 Original Proceeding ☐ 2 Removed from State Court ☐ 3 Remanded from Appellate Court ☐ 4 Reinstated or Reopened ☐ 5 Transferred from (Specify District) ☐ 6 Multidistrict Litigation ☐ 7 Appeal to District Judge from Magistrate Judge Judgment
- ☐ a. all parties represented ☐ b. At least one party is pro se.

(PLACE AN X IN ONE BOX ONLY)

- BASIS OF JURISDICTION**
- ☐ 1 U.S. PLAINTIFF ☐ 2 U.S. DEFENDANT ☒ 3 FEDERAL QUESTION (U.S. NOT A PARTY) ☐ 4 DIVERSITY

IF DIVERSITY, INDICATE CITIZENSHIP BELOW.

CITIZENSHIP OF PRINCIPAL PARTIES (FOR DIVERSITY CASES ONLY)

(Place an [X] in one box for Plaintiff and one box for Defendant)

CITIZEN OF THIS STATE	PTF DEF [] 1 [] 1	CITIZEN OR SUBJECT OF A FOREIGN COUNTRY	PTF DEF [] 3 [] 3	INCORPORATED and PRINCIPAL PLACE OF BUSINESS IN ANOTHER STATE	PTF DEF [] 5 [] 5
CITIZEN OF ANOTHER STATE	[] 2 [] 2	INCORPORATED or PRINCIPAL PLACE OF BUSINESS IN THIS STATE	[] 4 [] 4	FOREIGN NATION	[] 6 [] 6

PLAINTIFF(S) ADDRESS(ES) AND COUNTY(IES)

The National Retirement Fund, 333 Westchester Avenue, White Plains, NY 10604, Westchester County;
 Richard N. Rust, 6 Blackstone Valley Place, Suite 302, Lincoln, RI 02865, Providence County

DEFENDANT(S) ADDRESS(ES) AND COUNTY(IES)

Caesars Entertainment Corporation, One Caesars Palace Drive, Las Vegas, NV 89109, Clark County;
 Caesars Entertainment Resort Properties, LLC, One Caesars Palace Drive, Las Vegas, NV 89109, Clark County.

DEFENDANT(S) ADDRESS UNKNOWN

REPRESENTATION IS HEREBY MADE THAT, AT THIS TIME, I HAVE BEEN UNABLE, WITH REASONABLE DILIGENCE, TO ASCERTAIN RESIDENCE ADDRESSES OF THE FOLLOWING DEFENDANTS:

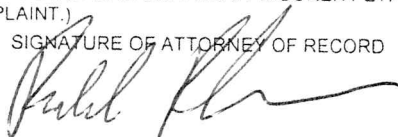
John Does 1-10

Check one: THIS ACTION SHOULD BE ASSIGNED TO: ☐ WHITE PLAINS ☒ MANHATTAN
 (DO NOT check either box if this a PRISONER PETITION/PRISONER CIVIL RIGHTS COMPLAINT.)

DATE
3/18/15

SIGNATURE OF ATTORNEY OF RECORD

RECEIPT #


ADMITTED TO PRACTICE IN THIS DISTRICT
[] NO
☒ YES (DATE ADMITTED Mo 02 Yr 1982)
 Attorney Bar Code # 1769108

Magistrate Judge is to be designated by the Clerk of the Court.

Magistrate Judge _____ is so Designated.

Ruby J. Krajick, Clerk of Court by _____ Deputy Clerk, DATED _____.

UNITED STATES DISTRICT COURT (NEW YORK SOUTHERN)